



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,995	11/09/2001	Atsushi Suzuki	01733/LH	4734

1933 7590 03/29/2006

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
220 Fifth Avenue
16TH Floor
NEW YORK, NY 10001-7708

EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT PAPER NUMBER

2629

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/040,995

Applicant(s)

SUZUKI, ATSUSHI

Examiner

Kimnhung Nguyen

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 12/20/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,9,10 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,3,9,10,12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

This Application has been examined. The claims 2-3,9-10 and 12-15 are pending. The examination results are as following.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-3,9-10, and 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. (US 6,744,426) in view of Tanaka et al. (US 2002/0051220).

Regarding claim 12, Okamoto et al. discloses in figs 1b, 3 and 5, a writing board (1) on which an arbitrary image may be written; a reader configured to read an image written on the writing board to generate image data corresponding to the image (see col. 9, lines 38-63); an encoder configured to encode the image data (see G coded, see col. 1, lines 63-67); and transfer section (301, fig. 5) configured to transfer, via a computer network (300) to terminal, encoded image data that is designated by the terminal and that is stored in the storage section (fig. 5), in response to a request issued from the terminal when the terminal accesses the electric copy board via the computer network.

However, Okamoto et al. does not disclose a storage section configured to store the encoded image data.

Art Unit: 2629

Tanaka et al. discloses a storage section (memory card 6) configured to store the image data (see 0063).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a storage section configured to store the image data as taught by Tanaka into the system of Okamoto et al. having a writing board because this would control the benefit of the system by displaying a list of images stored in the memory card in the liquid crystal display in a thumbnail format (see 0036).

Regarding claim 2, Okamoto et al. discloses further, wherein the transfer section transfers the image data as a file attached to an E-mail (see col. 10, lines 8-14).

Regarding claim 3, Okamoto not disclose the transfer section transfers the image data in accordance with Internet facsimile standards. Tanaka et al. discloses in fig. 1, the image data transfer with Internet facsimile standards (see 0062).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the image data transfer with Internet facsimile standards as taught by Tanaka et al. into the system of Okamoto et al. because this would transform the original image data Of JPEG format to the destination through the modem and communication interface (see 0062).

Regarding claims 9-10, Okamoto et al. does not disclose the encoder encodes the image data by JBIG (Joint Bi-Level Image experts Group) or MMR (Odified Modified Read). Tanaka et al. discloses the encoder encodes the image data by JBIG (Joint Bi-Level Image experts Group) or MMR (Modified Modified Read) (see 0062).

Art Unit: 2629

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of the image data transfer with Internet facsimile standards, the storage section (memory card 6) configured to store the image data, and the encoder encodes the image data by JBIG (Joint Bi-Level Image experts Group) or MMR (Modified Modified Read) as taught by Tanaka et al. into the system of Okamoto et al. because this would provide to display a list of images stored in the memory card and transmit to the liquid crystal display.

3. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. (US 6,744,426) in view of Nagai et al. (US 6,639,585)

Claims 13-15 are similar to claim 12 as discussed above. However, Okamoto et al. does not disclose the image data is designated by the terminal and is stored in the storage section.

Nagai et al. discloses the image data is designated by the terminal and is stored in the storage section (see fig. 3, col. 9, lines 27-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the image data is designated by the terminal and is stored in the storage section as taught by Tanaka et al. into the system of Okamoto et al. because this would provide to user to receive the data of the personal computer (see col. 9, lines 27-37).

Response To Arguments

4. Applicant's arguments with respect to claims 2-3, 9-10 and 12-15 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2629

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Correspondence


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
March 21, 2006



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600